

REMARKS

Receipt of the Office Action of December 1, 2004 is gratefully acknowledged.

A substitute specification is being submitted herewith as requested by the examiner. The substitute specification is being submitted along with a statement that no new matter has been introduced by the substitute specification.

The rejection of claims 3, 5, 6 and 14 under 35 USC 112, first paragraph is respectfully traversed.

The examiner states in maintaining this rejection that "The disclosure does not teach one of ordinary skill in the art how component A and component B are stuck together." Applicant respectfully disagrees. The components A and B are stuck together during the extrusion process. See, page 14, lines 4 - 9 and page 23, lines 7 - 13 of the specification, which discloses this feature. The components are therefore stuck together during the extrusion process. One having ordinary skill in the art should have no trouble understanding this feature.

The components which are joined (stuck) together during extrusion are then split (exfoliated). See, page 15, lines 13 - 28, page 25, lines 4 - 8 and from page 25, line 28 to page 26, line 2. The sticking occurs due to melting during extrusion. The splitting produces uneven surfaces with microfibrils on the split surfaces. Joining and splitting occur in that sequence and is, it is respectfully submitted, clearly understandable by one of ordinary skill in the art. Accordingly, the rejection under 35 USC 112, first paragraph should be withdrawn.

The rejection of claims 3, 5, 6 and 14 as indefinite under 35 USC 112, first paragraph is also noted. With regard to the use of the term "woven" in claim 14, it is respectfully submitted that the examiner is correct and the recitation on "woven" has been changed to "nonwoven" to maintain uniformity. Claim 14 should also now be

clearer due to the amendment whereby the reference to "each" has been modified by repeating the antecedent phrase, namely the "splittable conjugate fibers," and the term "exfoliated" has been changed to its equivalent term of "splittable."

In view of the amendments to claim 14, the rejection under 35 USC 112, second paragraph should be withdrawn.


There remains for consideration the rejection of claims 3, 5, 6 and 14 as unpatentable under 35 USC 103(a) over Gillespie et al in view of Kuraray and either Chen, Dugan et al or Takai. This rejection is respectfully traversed.

It had previously been stated that a disclosure of bits-and-pieces of the invention without a coherent teaching in the references does not meet the standard of unpatentability required by 35 USC 103(a). The examiner states that applicant "...does not specifically address why one of ordinary skill would not combine the cited references to produce the claimed product." The reason why the combination would not occur is because the combination is not suggested in any of the references. See, *In re Gordon*, 221 USPQ 1125 (Fed. Cir. 1984) - the prior art **must** suggest the combination. We do not see the required suggestion in the references identified in the rejection under 35 USC 103(a).

In view of the foregoing, reconsideration and re-examination are again respectfully requested and claims 3, 5, 6 and 14 allowed.

Respectfully submitted,

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